



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

September 3, 2009

Allan E. Creamer
Federal Energy Regulatory Commission
Office of Energy Projects
888 First Street, NE
Washington, DC 20426

RE: Final Environmental Impact Statement (FEIS) Relicensing the Smith Mountain Pumped Storage Project No. 2210-169 Bedford, Campbell, Franklin, and Pittsylvania Counties Virginia (CEQ #20090282)

Dear Mr. Creamer:

In accordance with the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) reviewed the subject document. The FEIS included responses to comments made by EPA on the Draft Environmental Impact Statement (DEIS). EPA rated the environmental impacts of the preferred alternative presented in the DEIS as "EC" (Environmental Concerns) and the adequacy of the impact statement as "2" (Insufficient Information) in our letter of May 18, 2009. EPA has some continued concerns not fully addressed in the response to comments prepared for the FEIS. Below please find our original comments (in *italics*) and further explanation or re-statement of concerns.

- *Page 5 Section 1.1.3 states that additional consultation on the Roanoke logperch is warranted. Since the preferred alternative is different this consultation should also include ensuring that other species are not impacted. Documentation of this consultation should be included in the FEIS and any issues should be resolved.* We continue to recommend that the appropriate state and federal agencies are contacted annually at a minimum to determine the presence of any listed species or species of concern.
- *Any changes in temperature should be discussed as a result of changing water levels in the lake.* The response to this comment is vague. If the implementation of the preferred alternative changes temperatures there could be shift in the aquatic communities in the waterbodies. It is unclear from the response if there will be temperature data, including baseline, and if there will be mitigation for any impacts.
- *It is unclear if there is a risk of aquatic life being taken into the intake systems. Methods*



should be used to minimize the loss of aquatic life taken up during generation. The response to this comment does not address organisms other than fish and does not justify omitting consideration of protection measures.

- *We recommend wetland delineation be performed in the project area to ascertain the extent of direct and indirect impacts caused by the proposed project. Impacts to wetland areas on any of the properties should be avoided. This would include impacts from water fluctuations, shoreline stabilization, construction activities, etc.* The response states that wetlands in the project area adapted to fluctuation associated with pump-back operation and that the pumping regime would generally be less extreme compared to existing operations. Thus existing wetlands should experience less stress associated with water level fluctuations. This response does not address our comment and we continue to recommend that a wetland delineation be performed in the project area. Wetland impacts must be avoided where ever possible; if adverse impacts to resources are unavoidable, impacts must be minimized and mitigated.

Thank you for the opportunity to offer these comments. If you have any questions, please contact Ms. Barbara Okorn at (215)814-3330.

Sincerely,



Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

